IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR.

O R D E R

State of Rajasthan. Versus Dilip Vyas.

S.B. Criminal Misc. Cancellation of Bail Application No. 22/2006.

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Date of Order: September 01, 2006

PRESENT

HON'BLE MR. JUSTICE H.R. PANWAR

Mr. Ashok Upadhyaya, Public Prosecutor for the State.

BY THE COURT:

By the instant criminal miscellaneous cancellation of Bail Application, the State of Rajasthan seeks cancellation of th bail granted in favour of the non-petitioner by the order dated 23-5-2005 passed by this Court in S.B. Criminal Misc. Bail Application No. 1725/2005.

Heard learned Public Prosecutor appearing for the State. Carefully gone through the order dated 23-5-2005 granting bail to the non-petitioner.

The non-petitioner was enlarged on bail on the ground that similarly situated co-accused Saji alias Krishna and Praveen Kumar were granted bail by a coordinate Bench and the case of the non-petitioner is not distinguishable from these two

accused. On a query to the learned Public Prosecutor as to whether the State has sought cancellation of bail to the other co-accused, the Public Prosecutor submits that no such application for cancellation of bail has been filed seeking cancellation of bail of other co-accused. The case of the non-petitioner is not distinguishable from co-accused Saji alias Krishna and Praveen Kumar, who have been granted bail. Therefore, no case of cancellation of bail of the present non-petitioner is made out.

Consequently, the criminal miscellaneous cancellation of bail application is dismissed.

(H.R. PANWAR), J.

mcs